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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/788,611	02/27/2004	Jon Washington	D-1207	9212
28995	7590	05/20/2005	EXAMINER	
RALPH E. JOCKE walker & jockey LPA 231 SOUTH BROADWAY MEDINA, OH 44256				PAIK, STEVE S
		ART UNIT		PAPER NUMBER
				2876

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

8M

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/788,611	WASHINGTON ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Steven S. Paik	2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 01 March 2005.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1 and 45-94 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) 1,45-54,56-76 and 80-94 is/are allowed.  
 6) Claim(s) 55 and 77-79 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 27 February 2004 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

## **DETAILED ACTION**

### ***Response to Amendment***

1. Receipt is acknowledged of the Amendment filed March 1, 2005.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 55 and 77-79 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shepherd et al. (US 6,402,025) in view of Austin et al. (US 2002/0062898 A1).

Re claim 55, 77-79, Shepherd discloses a dispensing container (media cassette) for storing valuable media (currency) and a self-service terminal (such as an ATM) for using these dispensing containers. The ATM incorporates a housing for storing these containers and a reader to read a machine-readable identifier (113) for keeping the characteristics of the media stored in the dispensing container. Shepherd et al. further disclose the machine-readable identifier may be a barcode or an electronic tag.

Shepherd et al. do not specifically disclose what type of electronic tag may be used in place of the barcode.

Austin et al. disclose that there are many situations in which units of inventory and other items are labeled to assist in the identification and/or tracking of the items. The use of bar code labels on items for consumer purchase (A barcode label can be attached to virtually any objects, animals, including a human) has become virtually universal. Bar code labels are also commonly

used by shipping companies to identify packages being shipped. Another technique for identifying items is to apply radio frequency (RF) tags to the items. The tags may be active, i.e. transmit identifying signals without being queried by an outside source, or passive, i.e. provide an identifying signal only when activated by an inquiry signal. In the latter case, the inquiry signal is sufficient to energize the tag to enable the sending of the identifying signal. An advantage of RF tags, as opposed to bar codes, is that the orientation of the tag and the inquiring apparatus (RF tag reader) with respect to each other is non-critical in the case of the RF tags. Furthermore, RF tags generally provide a longer reading distance compared to a barcode label, and RF tags can be read even if there is an object between the tags and a RF tag reader. RF tags are also advantageous over barcode labels since more data can be encoded and possibly rewritten over numerous times.

Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have incorporated an RF tag in place of a barcode label as taught by Austin et al. into the teachings of Shepherd et al. for the purpose of increasing readability of media cassette by overcoming the drawbacks of a barcode label.

***Allowable Subject Matter***

4. Claims 1, 45-54, 56-76, and 80-94 are allowable.
5. The following is a statement of reasons for the indication of allowable subject matter: none of the cited prior arts discloses, teaches, or fairly suggests an apparatus and a method comprising, among other things, a cassette for holding media that includes a biasing mechanism to move media within the cassette in a first direction, where the cassette includes at least one indicator/cassette target utilizing an Eddy current type distance sensor or Ferrite. The cited

references also fail to disclose the indicator member comprising at least one radio frequency identification tag where the identification data is remotely read by a RFID tag reader of an automated banking machine.

***Response to Arguments***

6. Applicant's arguments with respect to claims 55 and 77-79 have been considered but are moot in view of the new ground(s) of rejection. A newly found prior art (Austin US 2002/0062898A1) discloses identification apparatus using a barcode label and/or an RF tag. The reference further discloses the advantages of RF tags over barcode labels.

As discussed above, claims 55 and 77-79 are rejected under 35 U.S.C. § 103(a) and claims 1, 45-54, 56-76, and 80-94 are found to be in condition for allowance.

***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Art Unit: 2876

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven S. Paik whose telephone number is 571-272-2404. The examiner can normally be reached on Mon - Fri (5:30am-2:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Steven S. Paik  
Primary Examiner  
Art Unit 2876

ssp